THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.3988 of 2000

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the respondents in imposing punishment of stoppage of two increments with cumulative effect vide order dated 9.9.1996 and the proceedings of the second respondent dated 16.4.1999 as arbitrary, illegal, unconstitutional and violative of Articles 14, 16 and 21 of the Constitution of India and consequently direct the respondents to pay increments to the petitioner with effect from 16.4.1996 with all consequential benefits.

It appears, petitioner was proceeded with departmentally for certain charges leveled against him. After conducting a detailed enquiry into the matter, disciplinary authority came to the conclusion that the charges were proved and vide order dated 9.9.1996 imposed punishment of stoppage of two increments with cumulative effect and treated the period of suspension as 'not on duty'. Aggrieved by the same, petitioner filed appeal before the second respondent and the second respondent while refusing to interfere with the order passed by the fourth respondent, rejected the appeal by order dated 16.4.1999. Aggrieved by the same, the present writ petition is filed.

The charge, as such is very serious in nature. On 22.3.1996, he driven the Bus bearing No.AP9Z-9904 in a rash and negligent manner and with lack of anticipation and also not taking precautionary measures, caused a fatal accident at Duimpalagattu village, whereunder a girl, aged about 11 years died on the spot. Even otherwise, I am of the view that the punishment imposed is very reasonable and does not call for any interference by this Court. This is not a case where extraordinary grounds are made, such as lack of jurisdiction and malafides are attributed. The writ petition is devoid of merits and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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C.V.RAMULU,
J

Date: 26.12.2007
DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.3988 of 2000

26.12.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.3988 of 2000

Date: 26th December, 2007

Between:

A.B.Raju

.. Petitioners

And

APSRTC, rep. by its Chairman and
Managing Director & others.

.. Respondents